

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	:	
Norman Jr.	:	
	:	
Serial No.: 10/061,675	:	Examiner: Le, Linh Giang
	:	
Filed: February 2, 2002	:	Group Art Unit: 3626
	:	
For: APPARATUS AND METHOD FOR	:	
DIRECTING INTERNET USERS TO	:	
HEALTHCARE INFORMATION	:	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

The following remarks are made in response to the Office Action mailed on April 21, 2006. In the Office Action, claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lapsker (U.S. Pat. No. 4,971,362) in view of Iliff (U.S. Pat. No. 5,935,060). Reconsideration of this rejection is respectfully requested.

The Lapsker and Iliff patents, whether considered together or apart, do not make obvious applicant's pending claims 1-30. The Lapsker patent is directed to a prescription pad which assists physicians, pharmaceutical companies, and pharmacists in effectively administering prescription medications. The Lapsker prescription pad facilitates a physician's dispensing of free samples and starter dosages of prescription medications by providing discount vouchers that can be monitored and controlled. The Lapsker prescription pad assists pharmaceutical companies in monitoring programs for sample starter dosages and discount vouchers. The Lapsker prescription pad facilitates a pharmacist in more readily obtaining reimbursement for dispensing sample dosages and for participation in discount programs. The Lapsker patent does not disclose or suggest placing on one of the prescription sheets of the prescription pad an address for an Internet website where information about a patient's ailment is accessible via the Internet website. The Lapsker patent fails to disclose or suggest the use of ICD or CPT codes. The Lapsker patent also fails to disclose providing ailment descriptive information to a patient or to any other Internet user. In fact, the Lapsker patent fails to disclose or suggest the use of the Internet at all.

The Iliff patent fails to make up for the deficiencies set forth above with respect to the Lapsker patent. The Iliff patent is directed to a computerized knowledge-based medical diagnostic system. The system of the Iliff patent automatically performs a diagnosis of a patient's ailment based upon the patient's responses to a list of questions. While the Iliff patent indicates that the system may be accessible via the Internet, the Iliff patent fails to disclose or suggest providing on sheets of a prescription pad an address for an Internet website where information about the ailment is accessible via the website. The Iliff system executes decision tree type designated computer programs based upon patient responses in order to arrive at a diagnosis of the ailment. In contradistinction, the applicant's invention contemplates first diagnosing the ailment and then instructing the patient to obtain further information about the ailment. This is done by instructing the patient to either input the ICD or CPT codes into a computer, or by accessing an Internet web address printed on a prescription pad sheet. Because the Iliff reference fails to show or suggest instructing the patient to either input the ICD or CPT codes into a computer or accessing an Internet web address printed on a prescription pad sheet, the Iliff reference fails to render applicant's claims 1-30 obvious.

Moreover, there is no motivation, suggestion, or teaching for combining the teachings of the Lapsker and Iliff patents. As the Lapsker reference discloses a prescription pad for dispensing prescription medications, presumably the physician performed a diagnosis of the patient before prescribing the prescription medications. Since the physician has already conducted the diagnosis, there would be no motivation to use the computerized medical diagnosis system of Iliff to arrive at the diagnosis. Additionally, because of the legal and regulatory controls associated with the dispensing of prescription medications, there would be no motivation to attach a prescription medication feature as shown in Lapsker to a patient driven computerized diagnosis system of Iliff.

For the reasons discussed above, these patents, whether considered together or apart, fail to disclose or suggest the requirements of applicant's claims 1-30. Because claims 1-30 are not made obvious by the prior art of record, the applicant respectfully requests that the Office issue a Notice of Allowance.

Respectfully submitted,
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